

EXHIBIT D

1 A. North Dakota.

2 Q. Are you a registered voter in Pennsylvania?

3 A. I am registered to vote in Pennsylvania, yeah.

4 I'm still on the voter rolls here, yes.

5 Q. Are you registered as a Democrat or Republican?

6 A. I registered actually as a Libertarian. Now, at
7 the time, when we were --- I was registered as a
8 Republican, but I switched it to Libertarian just ---
9 not too long ago.

10 Q. Did you --- strike that.

11 In 2016, were you an independent contractor for
12 Benezet?

13 A. Yes.

14 Q. When did you become an independent contractor for
15 Benezet?

16 A. I guess it would have been, let's see --- I guess
17 it would have been, I guess in Indiana. I guess
18 Indiana would have been in January. It could have
19 been late December, early January.

20 Q. Did you collect signatures at all as an
21 independent contractor for Benezet in Pennsylvania
22 this past election sign up?

23 A. Yes.

24 Q. Who'd you collect for?

25 A. Ted Cruz.

1 Q. So if I understand correctly, you collected
2 signatures for Ted Cruz, to get his name on the
3 Presidential Primary Ballot, the Republican Primary in
4 Pennsylvania?

5 A. Yes.

6 Q. How many signatures did you collect?

7 A. Oh geez, I don't remember.

8 Q. Did you go door to door collecting for Ted Cruz?

9 A. I did.

10 Q. Did you have a witness with you?

11 A. Yes.

12 Q. Why did you have a witness with you if you're a
13 Pennsylvania registered voter?

14 A. Because there was concern about me not having an
15 in-state license and we didn't have an answer about
16 whether that was going to be an issue or not. And I
17 didn't think it was going to be an issue, but Trent
18 was afraid that it could come up as an issue if we got
19 challenged. Because I had talked to a woman named
20 Edee Baggett, who was working the Donald Trump
21 campaign, and I was going to work on the Trump
22 petition at one point. And I told Edee that I was
23 registered to vote in Pennsylvania, but I did not have
24 a Pennsylvania driver's license. I told her that I
25 could work with a witness if she wanted me to, and

1 then, I don't know, she ended up hiring other people.
2 But then, actually, I did get a call back from
3 somebody that was working with Edee Baggett, offering
4 me to work on the Donald Trump petition. But by the
5 time they called me back I had already made an
6 agreement with Trent to work on the Ted Cruz petition.
7 And so I had to decline the Donald Trump petition
8 because of the law here, you know, and so, anyway, I -
9 -- and so Trent was afraid that Edee Baggett might
10 make an issue or tell somebody in the Trump campaign
11 that I didn't have a PA driver's license, and so,
12 that's why.

13 Q. Okay.

14 A. We didn't know if it would be an issue or not.

15 Q. How long have you had a North Dakota driver's
16 license?

17 A. Well I got one in 2012, but I was actually just
18 in North Dakota and I renewed it in North Dakota.

19 Q. Do you have an address in North Dakota?

20 A. I had an address that I was staying at. I was
21 there for several months.

22 Q. And what made you decide to go door to door for
23 Ted Cruz as opposed to going to an event or something
24 like that?

25 A. I didn't have any good events to go to and the

1 signers have to be registered Republican. Only
2 registered Republicans can sign.

3 Q. Did you have some sort of a list that you walked
4 around with to at least identify what houses had
5 registered Republicans in them?

6 A. Yes.

7 Q. Who got you that list?

8 A. My brother got it at the election office.

9 Q. Does your brother collect signatures for a
10 living?

11 A. Sometimes.

12 Q. Is he a Pennsylvania registered voter?

13 A. Yes, he is.

14 Q. Do you know any other Pennsylvania registered
15 voters who collect signatures?

16 A. I do.

17 Q. How many?

18 A. Not too many, because Pennsylvania doesn't have
19 petitions very often, so there's not a lot of people
20 who are experienced who've done it in Pennsylvania, so
21 people who, I don't know, maybe who do this type of
22 work on a regular or at least semi-regular basis?
23 Maybe like four. Four or five, maybe.

24 Q. Did you collect any signatures for Rocky De La
25 Fuente as a candidate for the Democratic primary in

1 Pennsylvania?

2 A. No. I did in Indiana but not in Pennsylvania.

3 Q. Yeah, I'm sorry, I meant in Pennsylvania. Thank
4 you for clarifying.

5 A. Yeah. No, not in Pennsylvania. I wanted to but
6 I was unable to because I didn't have a Democrat
7 witness.

8 Q. Your witness for the Cruz collection, was that
9 one of the Cruz delegates?

10 A. No, it was my brother.

11 Q. Oh, I'm sorry, it was your brother.

12 A. Yeah.

13 Q. And were you able to collect signatures, I'm
14 assuming?

15 A. Yes. For Cruz, but not Rocky.

16 Q. Right. And for Cruz, I think you told me you
17 don't remember how many you did, but you did collect
18 some.

19 A. Yes.

20 Q. Did you sign the affidavit or did your brother?

21 A. He signed the affidavits.

22 Q. And he did have the affidavit notarized?

23 A. Yes, he did.

24 Q. What did you do when you were meeting with the
25 people --- strike that.

1 A. So it's inefficient to pay by the hour.

2 Q. In your experience is --- strike that.

3 So you were paid by Benezet this year, per
4 signature? Is it your understanding that Benezet was
5 paid by the Cruz campaign per signature?

6 A. As far as I know.

7 Q. Are you aware of whether or not, and let's take
8 Benezet and the Cruz campaign, the Cruz campaign said,
9 get as many signatures as you can? Or was it, we need
10 2,000 to get on the ballot, get us 4,000 to make sure?

11 A. Um ---.

12 Q. I believe they set some sort of an upper limit
13 that they gave?

14 A. They do, but I mean, I don't know what that was.

15 Q. Okay.

16 A. That would --- Trent might know that, but I
17 don't.

18 Q. But, in your experience, the campaigns would set
19 some sort of an upper limit for what they were looking
20 for?

21 A. Usually.

22 Q. Because after a certain number it just doesn't
23 matter?

24 A. Yeah, but I mean I have seen campaigns that will
25 just go for as many as possible, too.

1 Q. But do the majority of campaigns do that? Or do
2 the majority set some sort of an upper limit?

3 A. No. Well, the majority then will set a limit,
4 and they'll try to, they'll try to maybe do a validity
5 check. It depends on how organized they are and if
6 they're able to somehow get a voter list and check the
7 validity, then they'll be keeping track of what their
8 validity is. But, then there are other campaigns that
9 are not so organized and don't do that. And they'll
10 just get as many as possible.

11 Q. As a professional signature collector, I'm
12 assuming it's your goal to get as many signatures as
13 you can, in the least amount of time it takes?

14 A. Yeah.

15 Q. Tell me a little bit about your educational
16 background.

17 A. I went to high school. You know, went to college
18 but never graduated.

19 Q. Did you go to high school here in Camp Hill, or
20 ---?

21 A. Yes.

22 Q. When did you re-become a registered voter in
23 Pennsylvania?

24 A. When did I register? I think it was 2011.

25 Q. Is there anything that prevented you from

1 renewing your driver's license here in Pennsylvania?

2 A. Well one issue was I wasn't in the state when my
3 other license expired. So, I ---.

4 Q. When your North Dakota license expired?

5 A. Yeah, no, I had a California license actually.
6 My license was in California and it expired while I
7 was in North Dakota and it was going to cost me too
8 much money to get back to California and I was in
9 North Dakota for a few months, so I just got a North
10 Dakota license.

11 Q. How about when that just expired and you renewed
12 it.

13 A. It didn't actually expire. What happened was, I
14 had a situation that occurred in 2013. I was driving
15 in the state of South Carolina, and I was involved in
16 a minor car accident. And the police had falsely
17 reported that I didn't have car insurance, but I
18 didn't know that they had reported this. And in fact,
19 the insurance actually paid for the accident. And I
20 was not cited for not having car insurance. So I was
21 driving around for several months and I forgot about
22 it, and I was pulled over by the police --- this was
23 well after this happened --- in Oklahoma, and they
24 said my license was canceled. And I didn't know what
25 they were talking about so I told them that I had lost

1 A. Right now he's doing a --- works for a
2 merchandising company. I mean, sometimes he
3 petitions.

4 Q. Have you, in Pennsylvania, petitioned --- strike
5 that.

6 All the experience you have petitioning and
7 signature gathering in Pennsylvania has been at the
8 presidential level?

9 A. Yeah. I mean I guess, technically, on like the
10 Libertarian Party petition, they generally will have a
11 slate of candidates on the same petition, or the ---
12 you know, same thing with the Green Party petition.
13 So, there's --- you know, they'll have other
14 candidates on there besides president.

15 Q. I understand, thank you. Mr. Rossi may have some
16 questions for you, but I think that's all I have.

17 A. Okay.

18 Q. That may spur some more for me, but that's it
19 right now.

20 ATTORNEY ROSSI:

21 It always does.

22 EXAMINATION

23 BY ATTORNEY ROSSI:

24 Q. You testified that you did not circulate for
25 Rocky De La Fuente for Democrat?

1 A. Not in Pennsylvania. I did in Indiana, though.

2 Q. And why did you not circulate for Rocky De La
3 Fuente?

4 A. Because I couldn't find a Democrat witness.

5 Q. Did you reach out to anybody to ---?

6 A. I tried to find a Democrat witness.

7 Q. Let me ask my question first, then answer my
8 questions.

9 A. Sure.

10 Q. Let's ask that again. Strike that question.
11 Did you reach out to anyone to find a witness?

12 A. To Trent.

13 Q. And what was Trent's reply?

14 A. He did try to find a witness for me and was
15 unsuccessful.

16 Q. How long were you in Pennsylvania during the
17 circulation of petitions? About how long were you in
18 Pennsylvania?

19 A. For the whole three-week period.

20 Q. And that's the period of time that petitions are
21 allowed to be circulated?

22 A. For the major party primaries, yes.

23 Q. You testified that you were circulating for Ted
24 Cruz as well?

25 A. Yes.

1 Q. I 'm assuming, because you wanted to circulate
2 for Rocky De La Fuente, there were days that you were
3 not circulating for Ted Cruz?

4 A. Yeah. Well here's what happened. We were in
5 Indiana and we were doing Rand Paul and Ted Cruz. And
6 then I briefly worked Donald Trump and I briefly
7 worked Rocky De La Fuente in Indiana, and I was doing
8 them all at the same time. So I was doing Ted Cruz
9 --- I was doing Rand Paul and Ted Cruz the whole time.
10 And then I briefly worked Donald Trump along with Ted
11 Cruz and Rand Paul. And then I briefly worked Rocky
12 De La Fuente along with Ted Cruz and Rand Paul ---
13 this is in Indiana.

14 And then we came into Pennsylvania and we were
15 coming in to work Rand Paul. We thought we were going
16 to do Rand Paul. That's what I wanted to do. I
17 wanted to work Rand Paul. And the Rand Paul campaign
18 was not sure what they were going to do in
19 Pennsylvania because they were basically --- Rand Paul
20 wanted to see how he did in the Iowa Caucus to see
21 whether he was going to continue. So he was waiting
22 for the Iowa Caucus vote, and so they were kind of
23 stalling us on to whether or not they were going to
24 hire us or not.

25 And so now Trent had put out a feeler with the

1 Ted Cruz people, but we didn't have any deal with Ted
2 Cruz either. And I had talked to Edee Baggett about
3 working Donald Trump. So basically I came into
4 Pennsylvania without any deal, but just thinking that
5 I was going to get one. And so I came in to
6 Pennsylvania and I ended up sitting out of work for
7 the first --- I think it was week and a half. I had
8 no work because we didn't --- the Rand Paul thing was
9 stalling and then they ended up coming in like fifth
10 place in the Iowa Caucus so he decided to drop out.
11 And then, now, the other guys --- I mean Trent went to
12 Pittsburgh and then we had some other guys that were
13 in Philadelphia. And I went to Central Pennsylvania
14 because this is where my family's at. And so they got
15 the Rocky De La Fuente petition pretty early on in the
16 process. And apparently it was easier to find
17 Democrat witnesses in Pittsburgh and Philadelphia
18 because those are more heavily Democrat areas and
19 they're more densely populated.

20 Now I could have gone to Philadelphia or
21 Pittsburgh and it would have probably been --- I
22 would've probably had an easier time finding a witness
23 there, but I wanted to work in Central Pennsylvania
24 because it's, you know, where my family's at and
25 everything. And so I don't get to see them, you know,

1 that often. And so, also, we kept thinking that
2 another one of these deals was going to come through.
3 And so I didn't want to drive all the way off to
4 Pittsburgh or Philadelphia and then have like a day or
5 two later, one of these other deals comes through.
6 Or, Trent was also trying to find me a witness around
7 here. And so I thought that maybe a witness here was
8 going to materialize and then one never did. So
9 basically I ended up wasting about the first half of
10 the circulating period not even working at all.

11 A. So you came into Pennsylvania without contract,
12 but the first one that came available for you to work
13 was Rocky De La Fuente?

14 A. Yes.

15 Q. And you could not --- and because you didn't have
16 a witness you were not able to work his petitions?

17 A. Yes.

18 Q. And then at some point --- and you said, about a
19 week and a half you were not working?

20 A. Yes. And then --- and then the Ted Cruz thing
21 materialized.

22 Q. Benezet Consulting got the Ted Cruz contract?

23 A. Yes.

24 Q. And did you circulate for delegates and Ted Cruz?

25 A. And Ted Cruz, yes.

1 BY ATTORNEY ROSSI:

2 Q. In Indiana, who did you circulate for?

3 A. I did Rand Paul and Ted Cruz most of the time. I
4 mean actually, almost the whole time I was there I was
5 doing those two. But then I did briefly work Rand
6 Paul, Ted Cruz and Donald Trump. And then I also
7 briefly worked Rand Paul, Ted Cruz and Rocky De La
8 Fuente. And then actually, at the end, I ended up
9 getting a few signatures for Ben Carson and Rick
10 Santorum. You know, Trent kind of talked me into it.
11 I didn't really want to do it but I did it anyway.

12 Q. Let's break that --- and you're talking about
13 Indiana?

14 A. Indiana, yes.

15 Q. Let's explore that. In Indiana, there's a party
16 registration requirement in order to sign a petition,
17 to the best of your knowledge?

18 A. No, there is not.

19 Q. So a Republican can sign a Democrat petition?

20 A. In Indiana they don't register by party. In
21 Indiana, it's one of the states they don't register by
22 party. They're all registered basically as ---
23 there's several states --- I think there's probably
24 20-some-odd states that don't have partisan voter
25 registration. They're all registered independent, and

1 then at the polls they say, you know, they go vote in
2 the primaries and they say, I would like a Democrat
3 ballot or I would like a Republican ballot.

4 Q. Okay. I did not know that. So then in Indiana,
5 somebody could vote --- somebody could sign for a Ron
6 Paul and a Rocky petition ---?

7 A. Rand. Rand.

8 Q. I'm sorry. Rand Paul and a Rocky petition at the
9 same time?

10 A. Yes.

11 Q. Would you agree that their political viewpoints
12 are --- would you consider their political viewpoints
13 to be fairly disparate?

14 ATTORNEY JOEL:

15 Objection.

16 A. Yeah.

17 BY ATTORNEY ROSSI:

18 Q. Let me ask you this, did people sign for both Ron
19 Paul and for Rocky --- Rand Paul and Rocky?

20 A. Yes, I had some. There was a lower flip rate. I
21 call it the flip rate. I mean, like, in other words,
22 my flip rate was really high when I was doing Ted Cruz
23 and Rand Paul. I don't know what the percent was but
24 I had a large percent sign. And I did have those
25 people that were only for Rand and they would only

1 sign that one. And I had some people that would only
2 sign Cruz. But I'm saying, when I was doing the
3 Republicans, I had a higher percentage of people sign
4 them all than when I was doing the Republicans and
5 Rocky. But I still did have some people who signed
6 Rocky and all of them. Some people would sign Rocky
7 and Rand and not sign Cruz. And you know, vice ---
8 you know what I mean?

9 Q. And by flip rate, what do you mean by that?

10 A. The percent of people that signed them all, or
11 what percent of people signed all the petitions.

12 Q. Now when you're working in Pennsylvania with a
13 witness, has it always been your brother?

14 A. Yeah.

15 Q. So there's no issue with respect to getting your
16 brother to notarize and affidavit for you?

17 A. Not as much. I mean sometimes he complains about
18 it, but you know.

19 Q. But nevertheless, he doesn't disappear?

20 A. No. I know that's happened with other people
21 though. I almost had it happen to me in another state
22 one time.

23 Q. Explain that.

24 A. I had a witness who --- I was in Maine doing an
25 initiative and I had to work with a witness, and the

1 witness disappeared on me and then kind of re-
2 appeared, and kind of developed an attitude and he
3 wasn't going to do it. And somebody else who was
4 working on the campaign basically had to yell at him
5 and sort of badger him into doing it.

6 Q. And presumably because, and back to Pennsylvania,
7 presumably because your brother is your witness, you
8 can execute the petitions at your leisure?

9 A. Well, I guess it's more reliable than relying on
10 somebody who's, you know, just some random person that
11 I don't really know as well.

12 Q. Because you circulated with your brother, you
13 don't have to stop in the middle of the day to find a
14 notary?

15 A. Well it depends on when they have the notary
16 scheduled. I mean it's varied, because it's not like
17 you can get notaries 24 hours a day. So it depends on
18 who's doing the notarization, where they're being
19 notarized. So it depends upon a variety of factors.

20 Q. In what circumstance would you be --- you
21 testified that the maximum number of boards that
22 you've run was 16?

23 A. Uh-huh (yes).

24 Q. Do you remember a specific instance when you ran
25 16 boards at once?

1 A. Yeah, I was in Massachusetts.

2 Q. And why, in that situation, were you able to run
3 16 boards?

4 A. Because there were --- they have to separate
5 petitions by the towns. Like every town has to be on
6 a separate page and there's 359 cities and towns in
7 Massachusetts. And then also I had multiple petitions
8 and in Massachusetts they have what's known as open
9 access, which means you can legally go set up anywhere
10 the public has access, including storefronts. And you
11 can have a table. And so I had a table set up with 16
12 clipboards on it.

13 Q. Okay.

14 A. And sit in front of stores.

15 Q. So in that context, you're not physically holding
16 16 boards?

17 A. No. But there have been, I mean, there's been
18 occasions where I'm holding six or eight boards.

19 Q. Okay. So you can manipulate six to eight boards?

20 A. Yeah.

21 Q. And so in other states where you can't set up
22 tables, you could --- your testimony is you generally
23 run three to six?

24 A. Yeah. Usually three would be if I was going door
25 to door, usually if I'm out at public venues I usually

1 carry six.

2 Q. Why do you want six boards?

3 A. So I can have groups of people stop, signing at
4 the same time.

5 Q. When you're circulating in a crowd do you remain
6 static or do you move through the crowd?

7 A. Usually walk around.

8 Q. Why do you do that instead of remaining static?

9 A. Because you can usually get more signatures
10 walking around. I mean it depends upon the way the
11 venue's set up, but you need to have the versatility
12 to be able to walk around, you know, so it helps to
13 have the versatility. Because sometimes the people
14 don't come to you. Sometimes you've got to go to the
15 people. Every situation is different, though.

16 Q. Sure. So as you're sitting here today, you don't
17 know --- you're not clear in your mind as to whether
18 or not you are qualified to execute an affidavit of
19 circulation?

20 A. Yeah. I mean I'm not 100 percent sure. I know
21 that I've been told different things by different
22 people, so --- and then, you know, there's other
23 states where I know that people have had a driver's
24 license from a different state, but they registered to
25 vote in the state they were in and were able to sign

1 off on declarations. Now there is other states that
2 don't even have declarations on petitions. Some
3 states have declarations but the declarations do not
4 have to be notarized. And then some states have
5 declarations that don't have to be notarized and you
6 don't have to be a state resident. So most states you
7 don't have to be a state resident to petition there,
8 and there's been lawsuits over this in multiple
9 states.

10 Q. Have you ever been --- strike that.

11 To the best of your knowledge, has there been any
12 allegation lodged against you with respect to petition
13 fraud?

14 A. The only one I'm aware of is the one in Illinois
15 in 2014. But I was --- you know, I prevailed and they
16 were false allegations.

17 Q. And what were the allegations?

18 A. I think they were basically accusing us of
19 everything they could, to try to get the petition
20 disqualified. So they basically accused everybody who
21 worked on the petition drive of engaging in multiple
22 fraudulent acts.

23 Q. And this is the signature challenge that you
24 testified to earlier?

25 A. Yeah. Illinois, 2014, Libertarian Party.

1 Q. So these were allegations made as part of a
2 signature challenge?

3 A. Yes.

4 Q. To the best of your knowledge, have you ever been
5 investigated by law enforcement with respect to any
6 kind of petition fraud?

7 A. No.

8 Q. Would you ever commit petition fraud?

9 A. No.

10 Q. Do you know people who do commit petition fraud?

11 A. I mean, I've met a lot of people over the years.
12 I don't know who's committed fraud and who hasn't. I
13 mean I've heard various stories, you know, and
14 everything. But, you know, it's hard for me to say.
15 You know, there's probably people out there who've
16 done it. But, you know, I've met lots of people. I
17 don't know who all's done what.

18 Q. Fair enough. You said that you collected 5,000
19 signatures for the Libertarian Party in 2008?

20 A. I believe so, yeah.

21 Q. Now over what span of time did you collect those
22 signatures?

23 A. This was over several weeks. I mean I don't
24 remember --- it was several weeks, though. I was, you
25 know, at some high volume locations.

1 Q. And your brother was your witness for those?

2 A. Yeah.

3 Q. Are there any candidates that you would never
4 circulate a petition for?

5 A. Generally, some of the big main-screen
6 politicians, you know. Hillary Clinton I wouldn't do.
7 I wouldn't do like, Jeb Bush or something I wouldn't
8 do. I mean, you know --- so.

9 Q. Sure.

10 A. I really didn't want to do Rick Santorum but
11 Trent kind of pushed me into it.

12 Q. Okay.

13 A. I mean I only worked it for a few days.

14 Q. Have there been states that you worked --- other
15 than Pennsylvania, have there been states where you've
16 worked petitions where you did have to have a witness
17 with you?

18 A. A few places, yeah.

19 Q. What states?

20 A. Maine. I'm trying to think where else. Maine
21 --- oh, in California there used to be a requirement
22 in some of the cities and counties that you had to be
23 a resident of X city or X county to circulate a local
24 petition there. Now there was not for the state, or
25 at least in the time that I've been petitioning in

1 California, which goes back to 2001. But there were
2 some cities that had that. And that was actually
3 struck down in a court case in 2007 in San Clemente.
4 So now in California you don't have to be a resident
5 anywhere to circulate any city or county petitions,
6 but I did work a few before that happened.

7 Q. But before 2007, okay. That was my next
8 question. Before 2007, had you worked some of those
9 cities and towns?

10 A. Yes.

11 Q. And were you allowed to actually carry boards?

12 A. Yes.

13 Q. But you had a city witness with you?

14 A. Yes.

15 Q. Were there any issues with those witnesses at
16 that time?

17 A. Yes.

18 Q. Can you please describe?

19 A. Witnesses flaking out, like not showing up.
20 Wanting to leave early. Just being annoying. You
21 know, sometimes repelling people from signing, you
22 know. So I was glad when the witness --- I've
23 actually avoided some petition drives because of the
24 witness requirement. Like I was going to go to
25 Michigan in 2012 and I decided not to go because I

1 know what a pain it is to work with witnesses. Now
2 there was a court case a year or two after 2012 where
3 the witness requirement was thrown out of Michigan,
4 but I declined the Michigan job because I didn't want
5 to have to deal with witnesses.

6 Q. That's all I have. Thank you.

7 EXAMINATION

8 BY ATTORNEY JOEL:

9 Q. A few follow ups. Before showing up to your
10 deposition, did you talk to anybody about your
11 deposition testimony today?

12 A. I guess I talked to Mr. Rossi just in the lobby,
13 briefly, but ---.

14 Q. Anybody else?

15 A. No.

16 Q. Not Trenton Pool or anyone else?

17 A. I did not talk to Trent today.

18 Q. Did you talk to him at any point prior to this as
19 it relates to your deposition?

20 A. I talked to him yesterday.

21 Q. What did you talk about?

22 A. I think he just talked about some of the things
23 that were going on with the case and stuff like that.

24 Q. Did he tell you the type of questions that I was
25 going to be asking?